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REMARKS

Claims 1-27 are pending in the application. Claims 1-25 were rejected under 35 U.S.C. § 103 (a).

Rejection Under 35 U.S.C. § 103 (a)**Rejection Under Salvage and Battle**

Claims 1-6, 8-14 and 17-23 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U. S. Patent Application Number 2001/0009014 issued to Savage et al. dated July 19, 2001 in view of U. S. Patent Number 6,081,592 issued to Battle on June 27, 2000, and further in view of U. S. Patent Application Number 2002/0080922 issued to Brown et al. dated June 27, 2002.

Applicant has avoided this ground of rejection for the following reasons.

Applicant's claim 1, as amended, now recites,

"one or more application server components that transmit one or more user inputs to one or more telephony devices on a call through employment of one or more data streams associated with the call, the one or more application server components being in one or more networks that communicate with other networks via one or more call control protocols, and at least one of the one or more call control protocols is a Bearer Independent Call Control (BICC) protocol;"

Savage and Battle do **not** teach or suggest this limitation. This is because Savage and Battle do **not** disclose a Bearer Independent Call Control (BICC) protocol. Thus, Savage and Battle are missing "the one or more application server components being in one or more networks that communicate with other networks via one or more call control protocols, and at least one of the one or more call control protocols is a Bearer Independent Call Control (BICC) protocol" elements, as recited in applicant's claim 1.

The Office Action has cited Brown only for its teaching of a static selection method. Thus, the Office Action seems to indicate, and applicant agrees, that Brown does **not** supply the elements of applicant's claim 1 that were shown hereinabove **not** to be taught by Savage and Battle.

Therefore the proposed combination of Savage, Battle and Brown does not teach or suggest all of the limitations in applicant's claim 1, and therefore claim 1 is allowable over the proposed combination. Since claims 2-6, 8-14 and 21-23 depend from allowable claim 1, these claims are also allowable over the proposed combination.

Independent claims 17 and 20 each have a limitation similar to that of independent claim 1, which was shown is not taught by the proposed combination of Savage, Battle and Brown. For example, claims 17 and 20 recite, "the one or more application server components being in one or more networks that communicate with other networks via one or more call control protocols, and at least one of the one or more call control protocols is a Bearer Independent Call Control (BICC) protocol". The proposed combination of Savage, Battle and Brown does not teach this limitation for the above-mentioned reasons. Therefore, claims 17 and 20 are likewise allowable over the proposed combination. Since claims 18-19 depend from claim 17, these dependent claims are also allowable over the proposed combination.

Rejection Under Savage, Battle, Brown, Cloutier and Strathmeyer

Claims 7 and 15-16 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Savage in view of Battle and Brown, and further in view of U. S. Patent Application Number 2004/0015405 issued to Cloutier et al. dated January 22, 2004.

Claims 24-25 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Savage in view of Battle and Brown, and further in view of U. S. Patent Number 7,372,957 issued to Strathmeyer et al. on May 13, 2008.

Applicant respectfully traverses this ground of rejection.

Claims 7, 15-16 and 24-25 depend from independent claim 1. As noted hereinabove, Savage, Battle and Brown do not teach or suggest "the one or more application server components being in one or more networks that communicate with other networks via one or more call control protocols, and at least one of the one or more call control protocols is a Bearer Independent Call Control (BICC) protocol", as recited in applicant's independent claims 1, 17 and 20. Cloutier and Strathmeyer do not teach or suggest the elements either. Thus, claims 7, 15-16 and 24-25 are allowable

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over the proposed combinations of Savage, Battle, Brown, Cloutier and Strathmeyer under 35 U.S.C. § 103 (a).

New Claims

New claims 26-27 have been added. Claims 26-27 provide additional limitations directed to the one or more telephony devices. No new matter was added.

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



James Milton
Attorney for Applicant
Reg. No. 46,935

Dated: October 22, 2008

PATTI, HEWITT & AREZINA, LLC
Customer Number 47382